

AMENDED IN SENATE JUNE 27, 2011

AMENDED IN ASSEMBLY MAY 4, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1309

Introduced by Assembly Member Miller
(Coauthor: Assembly Member Beth Gaines)

February 18, 2011

An act to add and repeal Section 969.7 of the Streets and Highways Code, relating to public roads.

LEGISLATIVE COUNSEL'S DIGEST

AB 1309, as amended, Miller. Public roads: fire suppression.

Existing law authorizes a county board of supervisors, after adopting a resolution, as specified, determining that the general county interest demands the improvement or repair of a privately owned road, to improve or repair that road and to pay for those improvements or repairs in a like manner as improvements or repairs of county highways.

This bill, until January 1, 2017, would grant a board of supervisors the same authority with respect to improvement and repair of a public road that is not a county highway or part of the county maintained system, if necessary for purposes of fire suppression.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 969.7 is added to the Streets and
2 Highways Code, to read:
3 969.7. (a) A board of supervisors may, after it has determined
4 by a resolution adopted by a four-fifths vote of its membership
5 that the general county interest demands the improvement or repair
6 of a public road that is not a county highway and is not in the
7 county maintained system, improve or repair the road if the
8 improvements or repairs are necessary for the purpose of fire
9 suppression. Those improvements or repairs shall be made and
10 paid for in ~~like~~ *the same* manner as improvements or repairs of
11 county highways. Proceedings under this section shall not cause
12 the road to become a county highway.
13 (b) This section shall remain in effect only until January 1, 2017,
14 and as of that date is repealed, unless a later enacted statute, that
15 is enacted before January 1, 2017, deletes or extends that date.